

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

TYRELL KNIGHT,)	CASE NO. 4:06CV3152
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
SALLY UNKNOWN, et al.,)	
)	
Defendants.)	

This matter is before the Court on the Plaintiff's appeal (Filing No. 13) from the Order of Magistrate Judge F.A. Gossett (Filing No. 12), in which the Magistrate Judge allowed the Plaintiff to proceed *in forma pauperis* in this matter, but required incremental payments of the \$350.00 filing fee in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(b). After reviewing a certified copy of the Plaintiff's inmate trust account information (Filing No. 4), the Magistrate Judge required an initial partial filing fee of \$4.76 on or before August 28, 2006, with subsequent monthly payments of 20 percent of the Plaintiff's preceding month's income credited to his prison account.

Upon *de novo* review of the record, the Court finds no error of fact or law and no abuse of discretion by the Magistrate Judge. Because the Magistrate Judge's Order (Filing No. 12) is not clearly erroneous or contrary to law, it is affirmed. See 28 U.S.C. § 636(b)(1)(A); NECivR 72.2(c).

IT IS ORDERED:

That the Plaintiff's appeal of Order of Magistrate Judge (Filing NO. 13) is denied.

DATED this 22nd day of August, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge